

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

R.M.S. TITANIC, INC.,  
successor-in-interest to  
Titanic Ventures, limited partnership,  
Plaintiff,

v.

Civil Action No. 2:93cv902

THE WRECKED AND ABANDONED VESSEL,  
ITS ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A POINT  
LOCATED AT 41 43/ 32' NORTH LATITUDE  
AND 49 56' 49" WEST LONGITUDE,  
BELIEVED TO BE THE R.M.S. TITANIC  
in rem,

Defendant.

**PERIODIC REPORT**

NOW COMES Plaintiff, R.M.S. Titanic, Inc. ("RMST" or the "Company"), by counsel, and files this Periodic Report of R.M.S. Titanic, Inc. on the Progress of Research and Recovery Operations ("Periodic Report").

**I. Protection and Monitoring of the Wreck Site and Collection.**

On August 15, 2022, the Court entered an Order directing RMST to further investigate Magellan's activity and to provide additional details it learns concerning the Magellan expedition, to include dive plans, timing, equipment to be used, and the purpose of the expedition at the Wreck Site.

On August 19, 2022, in response to the Court's Order and following correspondence between the parties, Magellan provided the Company with the attached Draft Dive Plan. *See*, Exhibit 1 attached hereto. Magellan has not yet provided RMST with an executed Dive Plan. According to the Draft Dive Plan, Magellan intends to conduct "non-intrusive photogrammetry

and a laser mapping survey of target TT22” which the Company understands to be the Wreck Site.

It lists its objectives as follows:

1. Acquire detailed laser and photogrammetric data of the bow and stern sections of TITANIC.
2. Document the entire expedition subsea with X2 off, 4K cameras.
3. Maintain zero contact policy with the area and its contents. Magellan will maintain a Policy of respect for the memorial site to preserve the site and its surroundings.

*Id.* The Draft Dive Plan indicates that its equipment will not require ballast weights.

The Draft Dive Plan indicates that it will use two ARGUS worker XL ROVs, one outfitted with a “laser survey skid” including cameras and sensors and the other with two 4K cameras. On one ROV, Magellan indicates that it will remove its manipulator for the duration of the Dive Plan. On the second ROV, Magellan intends to retain its manipulator “to assist [the other ROV] in the unlikely event of a power failure” and further states, “[n]o Manipulator interaction with the site will be performed whatsoever.” *Id.*

The Draft Dive Plan omits any dates for the expedition. Similarly, Magellan refused to identify its expedition dates for the Company, despite requests over the last several weeks. This morning, Magellan informed the Company that it commenced the expedition on August 20, and the vessel is scheduled to depart the Wreck Site today.

In email correspondence with the Company, David Anderson, an agent of Magellan, indicated Magellan “will not infringe on RMS Inc [sic] rights, nor cause harm to the wreck site” and that it will not make contact with the wreck.

RMST has no further information at this time about Magellan's actual conduct at the Wreck Site. The Company will request Magellan to provide a full report on its expedition and will continue to update the Court as it learns additional information.

Respectfully submitted,

**RMS TITANIC, INC.**

By Counsel:

/s/ Brian A. Wainger

Brian A. Wainger, VSB #38476

*Attorney for Plaintiff RMS Titanic, Inc.*

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2022, a copy of the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Brian A. Wainger  
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